

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TOM OGNIBENE, *et al.*,

Plaintiffs,

- against -

**DECLARATION OF
JONATHAN PINES**

FREDERICK A. O. SCHWARTZ, JR., *et al.*,

08 CV 01335 (LTS) (TDK)

Defendants.

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JONATHAN PINES, an attorney duly admitted to practice law declares under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an Assistant Corporation Counsel in the Office of the Corporation Counsel, assigned to represent the defendants in this matter.
2. I make this declaration in opposition to plaintiffs' motion for a preliminary injunction and in support of defendants' cross-motion for summary judgment.
3. Attached to this declaration as Pines Exhibit A is the official text of Local Law 34, approved on July 3, 2007.
4. Attached to this declaration as Pines Exhibit B is the official text of Local Law 67, approved on December 31, 2007.
5. Attached to this declaration as Pines Exhibit C is the official text of Local Law 15, approved on June 13, 2006.
6. Attached to this declaration as Pines Exhibit D is the official text of Local Law 16, approved on June 13, 2006.

7. Attached to this declaration as Pines Exhibit E is the official text of Local Law 17, approved on June 13, 2006.

8. Attached to this declaration as Pines Exhibit F is the Report of the New York City Charter Revision Commission, dated August 20, 1998.

9. Attached to this declaration as Pines Exhibit G is the full text of Int. No. 586. Legislation pending in the Council is called an "Introduction," often abbreviated to "Intro" or "Int.", and is assigned a number. When an Introduction is signed by the Mayor, it becomes a Local Law and is assigned a new number. See City Council webpage at <http://www.council.nyc.gov/html/about/about.shtml> (last visited on August 4, 2008).

10. Attached to this declaration as Pines Exhibit H is the Report of the Governmental Affairs Division on Int. No. 586.

11. Attached to this declaration as Pines Exhibit I is the Transcript of the Minutes of the Committee on Governmental Operations regarding Int. No. 586, dated June 12, 2007.

12. Attached to this declaration as Pines Exhibit J is the written testimony submitted to the City Council regarding Int. No. 586, dated June 12, 2007.

13. Attached to this declaration as Pines Exhibit K is the full text of proposed Int. No. 586-A.

14. Attached to this declaration as Pines Exhibit L is the Report of the Governmental Affairs Division on proposed Int. No. 586-A.

15. Attached to this declaration as Pines Exhibit M is that portion of the Transcript of the Minutes of the Committee on Governmental Operations as pertains to proposed Int. No. 586-A, held on June 21, 2007.

16. Attached to this declaration as Pines Exhibit N is the written testimony submitted to the City Council regarding proposed Int. No. 586-A (referred to in some documents as “Intro. 586-A” and occasionally without the appended “A”), dated June 21, 2007.

17. Attached to this declaration as Pines Exhibit O is that portion of the Transcript of the Stated Council Meeting as pertains to proposed Int. No. 586-A, held on June 27, 2007.

18. Attached to this declaration as Pines Exhibit P is the that portion of the Transcript of the Public Hearing on Proposed Local Laws as pertains to proposed Int. No. 586-A, held on July 3, 2007.

19. Attached to this declaration as Pines Exhibit Q is the full text of Int. No. 651.

20. Attached to this declaration as Pines Exhibit R is the full text of proposed Int. No. 651-A.

21. Attached to this declaration as Pines Exhibit S is the Report of the Governmental Affairs Division on proposed Int. No. 651-A.

22. Attached to this declaration as Pines Exhibit T is that portion of the Transcript of the Minutes of the Committee on Governmental Operations as pertains to proposed Int. No. 651-A, held on December 6, 2007.

23. Attached to this declaration as Pines Exhibit U is the written testimony submitted to the City Council regarding Int. No. 651, dated December 6, 2007.

24. Attached to this declaration as Pines Exhibit V is the second Report of the Governmental Affairs Division on proposed Int. No. 651-A.

25. Attached to this declaration as Pines Exhibit W is that portion of the Transcript of the Minutes of the Committee on Governmental Operations as pertains to proposed Int. No. 651-A, held on December 18, 2007.

26. Attached to this declaration as Pines Exhibit X is the written testimony submitted to the City Council regarding proposed Int. No. 651-A, dated December 18, 2007.

27. Attached to this declaration as Pines Exhibit Y is that portion of the Transcript of the Stated Council Meeting as pertains to proposed Int. No. 651-A, held on December 19, 2007.

28. Attached to this declaration as Pines Exhibit Z is the full text of Int. No. 192.

29. Attached to this declaration as Pines Exhibit AA is the Report of the Governmental Affairs Division on Int. Nos. 190, 191, and 192.

30. Attached to this declaration as Pines Exhibit BB is the Transcript of the Minutes of the Committee on Governmental Operations regarding Int. Nos. 190, 191, and 192, held on April 4, 2006.

31. Attached to this declaration as Pines Exhibit CC is the full text of proposed Int. No. 192-A.

32. Attached to this declaration as Pines Exhibit DD is the Report of the Governmental Affairs Division on proposed Int. Nos. 190-A, 191-A, and 192-A.

33. Attached to this declaration as Pines Exhibit EE is the Transcript of the Minutes of the Committee on Governmental Operations regarding Int. Nos. 190-A, 191-A, and 192-A, held on May 24, 2006.

34. Attached to this declaration as Pines Exhibit FF is that portion of the Transcript of the Stated Council Meeting as pertains to proposed Int. Nos. 190-A, 191-A, and 192-A, held on May 24, 2006.

35. Attached to this declaration as Pines Exhibit GG are pages excerpted from the Deposition of plaintiff Shelia Anderson-Ricci, dated June 18, 2008.

36. Attached to this declaration as Pines Exhibit HH are pages excerpted from the Deposition of plaintiff Yvette Velazquez Bennett, dated June 19, 2008.

37. Attached to this declaration as Pines Exhibit II are pages excerpted from the Deposition of plaintiff Martin Malave Dilan, dated June 20, 2008.

38. Attached to this declaration as Pines Exhibit JJ are pages excerpted from the Deposition of plaintiff Tom Ognibene, dated June 17, 2008.

39. Attached to this declaration as Pines Exhibit KK are pages excerpted from the Deposition of plaintiff Robert Perez, dated June 17, 2008.

40. Attached to this declaration as Pines Exhibit LL are pages excerpted from the Deposition of plaintiff Fran Reiter, dated June 19, 2008.

41. Attached to this declaration as Pines Exhibit MM are pages excerpted from the Deposition of plaintiff Michele Russo, dated June 19, 2008.

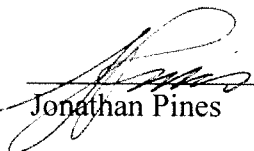
42. Attached to this declaration as Pines Exhibit NN are pages excerpted from the Deposition of plaintiff Marlene Tapper, dated June 18, 2008.

43. Attached to this declaration as Pines Exhibit OO are pages excerpted from the Deposition of plaintiff Viviana Vazquez-Hernandez, dated June 20, 2008.

44. Attached to this declaration as Pines Exhibit PP is an article from the Queens Chronicle regarding Tom Ognibene, dated July 31, 2008.

45. Appended under this declaration are the declarations of Peri Horowitz, Director of Special Compliance and Policy Assurance for the New York City Campaign Finance Board, dated August 4, 2008, with exhibits designated Horowitz Exhibits A-D attached thereto; David Karnovsky, General Counsel at the Department of City Planning for the City of New York, dated August 4, 2008; Amy Loprest, Executive Director of the New York City Campaign Finance Board, dated August 4, 2008, with exhibits designated Loprest Exhibits A-B attached thereto; Jesse Schaffer, Director of the Doing Business Accountability Project at the Mayor's Office of Contract Services, dated August 4, 2008, with an exhibit designated Schaffer Exhibit A attached thereto; Marla G. Simpson, Director of the Mayor's Office of Contract Services and the City Chief Procurement Officer, dated August 4, 2008; and Arnie Wolsky, Deputy Counsel to the City Clerk and Director of the Lobbying Bureau in the New York City Clerk's Office, dated August 4, 2008, with an exhibit designated Wolsky Exhibit A attached thereto.

Dated: New York, New York
August 4, 2008


Jonathan Pines